

House File 2485 - Introduced

HOUSE FILE 2485
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 676)

A BILL FOR

1 An Act relating to access to confidential records of the
2 commission on judicial qualifications by members of the
3 general assembly.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.2103, Code 2022, is amended to read
2 as follows:

3 **602.2103 Operation of commission.**

4 A quorum of the commission is four members. Only those
5 commission members that are present at commission meetings
6 or hearings may vote. An application by the commission to
7 the supreme court to retire, discipline, or remove a judicial
8 officer, or discipline or remove an employee of the judicial
9 branch, or an action by the commission which affects the final
10 disposition of a complaint, requires the affirmative vote of
11 at least four commission members. Notwithstanding [chapter 21](#)
12 and [chapter 22](#), all records, papers, proceedings, meetings,
13 and hearings of the commission are confidential, but if the
14 commission applies to the supreme court to retire, discipline,
15 or remove a judicial officer, or to discipline or remove an
16 employee of the judicial branch, the application and all of the
17 records and papers in that proceeding are public documents.
18 Upon request, a member of the general assembly shall have
19 access to confidential complaints, decisions, actions, records,
20 papers, or other information taken by the commission. A member
21 of the general assembly provided access by the commission shall
22 keep all information received confidential. A member of the
23 general assembly party to an action before a judicial officer
24 shall not be allowed to request or obtain access to complaints,
25 decisions, actions, records, papers, or other information
26 provided to the commission pertaining to that judicial officer
27 until the action is final and may not be appealed.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill relates to confidential records of the commission
32 on judicial qualifications. The commission on judicial
33 qualifications was created to hear charges made against
34 judicial officers and employees of the judicial branch and
35 determine whether to make an application to the supreme court

1 to retire, discipline, or remove a judicial officer or remove a
2 judicial branch employee. The records made to the commission
3 are confidential unless the commission decides to apply to the
4 supreme court to take action against the judicial officer or
5 employee in which case the records become public documents.
6 The bill provides that a member of the general assembly may
7 request access to the commission on judicial qualifications'
8 records. A member of the general assembly that is granted
9 access is not able to disclose any of the records provided. A
10 member of the general assembly that is party to an action shall
11 not be allowed to request records relating to the judicial
12 officer presiding over the action the member of the general
13 assembly is involved in until the action is final and may not
14 be appealed.